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UNITED STATES OF AMERICA.

PETITIONS,
REMONSTRANCES AND ACTS
RELATING TO
LITTLETON AND BOXBOROUGH,
1782 to 1869.

This pamphlet was compiled by George Augustus Sanderson, Esq., of Littleton, and five hundred (500) copies were printed in March, 1890, at the expense of that town, by George C. Crosby, & Co., of Boston.
G. A. S.

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COPIES OF PETITIONS, REMONSTRANCES AND ACTS

RELATING TO

The Establishment of the Town of Boxborough, and Repeated Refusals of the Legislature to compel certain inhabitants of Littleton to join the Town of Boxborough.

After three failures to have Boxborough set off as a town, the following petition was filed in 1782 :

Petition for the Establishment of the Parish of Boxborough, 1782.

*To the Hon^{ble} Senate and Hon^{ble} House of Representative of the
Commonwealth of Massachusetts Humbly Sheweth :—*

That your petitioners (the inhabitants of the extreme part of the towns of Stow, Littleton and Harvard) have long labored under very grate difficultys on account of the grate distance from the place of Publi: Worship in the towns to which they respectively belong being at the distance of four and five miles, to remedy which they have erected a House for Public Worship in a convenient place, and procured preaching a grate part of the time for several years past (but as they are not excused from paying to the Support of preaching in some of the towns to which they belong), that also is a grate burden. And although they have not succeeded in their application to a former General Court, they would now supplicate your Hon^{rs} for that relief that your Hon^{rs} only can give and without which they must drag through the remainder of their lives groaning under the burdens they have thus far borne, and leave it as an entailment on their posterity.

Your memorialist therefore humbly prays therefore that they may be incorporated into a town, district, or Parish, agreeably to the plan herewith exhibited and as in duty bound shall ever pray

SILAS TAYLOR

March 7th, 26th, 1782.

and 69 others,
committee.

In Senate June 6, 1782. Read and thereupon ordered that Solomon Freeman, Esq., with such as the Honble House shall join, be a committee to take this Petition and the papers accompying into consideration and report thereon.

Sent down for concurrence.

S. ADAMS, *President.*

In the House of Representatives June 7, 1782. Read and non-curred and thereupon ordered that this Petition be referred to the second Wednesday of the next sitting of the General Court.

Sent up for noncurrence.

NATH GORHAM, *Speaker.*

In Senate June 7, 1782. Read and concurred.

S. ADAMS, *President.*

In Senate September 25, 1782. Read and thereupon ordered that Samuel Baker, Esq., with such as the Honble House shall join, be a committee to take this Petition and the papers accompanying the same into consideration and report thereon.

Sent down for concurrence.

S. ADAMS, *President.*

In the House of Representatives, Sept 25, 1782. Read and concurred and Mr. Whitney of Northborough and Colo Faulkner are joined.

NATH GORHAM, *Speaker.*

The Committee of both Houses appointed to take in consideration the Petition of Silas Taylor and others and the Papers accompanying the same and report what is proper to be done thereon, have attended that service and are of opinion that the Petitioners which belongs to the Towns of Stow and Harvard should be incorporated into a district with such of the inhabitants of Littleton as are included in the Petition and shall within the space of twelve months signify that they desire to belong to the Said District and no other, and that the Petitioners have leave to bring in a bill accordingly which is submitted.

SAMUEL BAKER, Jr., *Per Order*

In Senate Sept. 27, 1782. Read and accepted and ordered that the Petitioners have leave to bring in a bill.

Sent down for Concurrence,

S. ADAMS, *President.*

In the House of Representatives Sept. 27, 1782.

Read and Concurred,

NATHANIEL GORHAM, *Speaker.*

To the whole Court of the Commonwealth of Massachusetts :

MAY IT PLEASE YOUR HONORS :—

We, the Subscribers, Selectmen of the town of Littleton, are informed that a number of the inhabitants of the south part of said town have petitioned your Honors that they with others may be set off into a separate precinct or parish, which is against the desire of many whom they petition for, and to the great damage of the town, should their prayer be granted ; therefore, in behalf of said town, we the Selectmen of said town, pray your Honors would indulge the town with an opportunity of showing to your Honors the reason why the prayer of the petitioners should not be granted—the way and manner we submit to your Honors. And we in duty bound shall ever pray.

JONA. REED,	}	<i>Selectmen of Littleton.</i>
JOSIAH HARTWELL,		
WILLIAM HENRY PRENTICE,		
JONA. WHETCOMB,		
JAMES KING,		

Littleton, Oct. 8, 1782.

To the whole Court :

We, the Subscribers, Inhabitants of the town of Littleton, being informed that a petition is referred to the Honorable Court praying that a town Parish or District may be erected and set off from the towns of Littleton, Stow and Harvard, we the Subscribers, inhabitants of the town of Littleton, being within the line proposed of the

Parish or district prayed for, as set forth in said petition ; Beg leave to remonstrate to the Hon'bl Court against our being set off as is prayed for in s'd Petition ; for the reasons following :

1st. That we the subscribers are situated not more than three miles from the Meeting House in said Littleton, and are provided with a good road to the same, so we are able to attend Public Worship with our families comfortably at all seasons of the year without difficulty.

2d. That the town of Littleton is but a little more than four miles square and being only a farming town, and must be considered as already too small to enjoy those privileges and advantages for which towns and parishes were constituted without the individuals thereof being overburdened with taxes.

3d. That if the prayer of the aforesaid petition be granted there will be a heavy expense in making of road, to the meeting house *built* by some individuals in the proposed parish, which at the present day in particular is too burdensome for us to support, and in no respect can the subscribers be benefitted by said petition being granted, but in every view of the matter greatly injured and hurt. And the subscribers beg leave to observe to the Honorable Court, that this is the third time that we have been obliged to be at the expense and trouble of writing to, and attending upon the Hon'l Court to prevent the prayer of the same petition being granted ; and the Subscribers pray that the Hon'l Court would request said petition, more especially as far as it relates to us the Subscribers— Hoping that the Honorable Court will not deprive us of those advantages, privileges and rights which we and our fathers have so long enjoyed.

Littleton, Oct. 8th, 1782.

SAMUEL LAWRENCE

ELIAS TAYLOR

THOMAS WOOD

DANIEL WHETCOMB

JONATHAN PATCH

NATHANIEL COBLEIGH

JOHN WOOD

SOLOMON FOSTER

JEDIDIAH TAYLOR

An act for erecting a District in the County of Middlesex, by the name of Boxborough.

PREAMBLE.—Whereas a number of inhabitants living in the extreme parts of the towns of Stow, Harvard and Littleton labor under many inconveniences by reason of their great distance from any place of Public Worship, and have requested this court that they may be incorporated into a district with all the privileges of a town, that of sending a Representative to the General Court excepted :

SECT. 1. Be it therefore enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same, that a part of Stow, a part of Harvard, and a part of Littleton, all which are included within the bounderies, viz. : Beginning at the road southerly of John Robbins' buildings, and running southerly to Acton Corner three miles and ninety-two rods to a heap of stones ; from thence running southerly in Acton line, to a place called Flag Hill, being two miles, three quarters and ten rods to a heap of stones ; from thence westerly in Stow two miles and a quarter to a stake and pillar of stones in the Harvard line ; thence running northerly through part of Harvard to a white oak tree by a cause-way ; from thence to the place first sit out from, be and hereby is incorporated into a District, by the name of Boxborough. And all the Polls and Estates that are included within the said bounderies shall belong to the said District, except those of such of the inhabitants of that part set off from Littleton, as shall not within the term of twelve months from the passing of this Act return their names into the office of the Secretary of this Commonwealth, signifying their desire to become inhabitants of the said District.

SECT. 2. And be it further enacted by the authority aforesaid, that the said District be and hereby is, invested with all the powers, privileges and immunities that towns in this Commonwealth do or may enjoy (except the privilege of sending a representative to the General Court) and the inhabitants of said District shall have liberty from time to time to join with the town of Stow, in choosing a Representative, and shall be notified of the time and place of election in like manner with the inhabitants of the said town of Stow, by a

warrant from the selectmen of the said town, directed to a constable, or constables of the said District, requiring him or them to warn the inhabitants to attend the meeting at the time and place appointed; which warrant shall be seasonably returned by the said constable or constables; and the representative may be chosen indifferently from the said Town or District. The pay or allowance to be borne by the town and district in proportion as they shall from time to time pay to the state tax.

SECT. 3. And be it further enacted that Jonathan Wood, Esq., of Stow, be and he hereby is empowered to issue his warrant directed to some principle inhabitant within the said district requiring him to warn the inhabitants of said District qualified to vote in town affairs, to assemble at some suitable time and place in the said District, to choose such officers as towns and Districts by law are required to choose in the month of March annually: Provided nevertheless that the inhabitants of the said District shall pay their propotionable part of all such town, county and state Taxes as are already assessed by the said respective towns from which they are taken, and their propotionable part of all public debts due from the said Towns; and also provide for the Support of all the Poor who were inhabitants within the said District before the passing of this act, and shall be brought back for maintance hereafter.

And whereas it is fit and necessary, that the whole of the said District should belong to one and the same County.

SECT. 4. Be it therefore enacted by the authority aforesaid that that part of the said District which is set off from the town of Harvard in the county of Worcester, shall be, and hereby is annexed and set to the county of Middlesex. And the line established by this act as the boundry betwixt the said town of Harvard and the said District shall hereafter be the boundry line betwixt the said county of Middlesex and the said county of Worcester.

(This Act passed Feb. 25, 1783.)

1793.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled :

The petition of the inhabitants of the town of Boxborough humbly represents that the inhabitants of the town of Littleton to which town the said town of Boxborough is adjacent, controverts with them the line which divides the same towns, from which controversy there may probably arise a multiplicity of law suits and animosities, unless the Legislature should condescend to interpose and to establish an obvious and uncontrovertable boundary for them. The best method of doing this as the petitioners conceive would be to have a committee from your honors on the place where the divisional line is. Another advantage which may result from the attendance of such a committee, is, that a number of persons who are within the limits of Boxborough, but taxed to the town of Littleton, may be reasonably induced to unite entirely the inhabitants of Boxborough. Wherefore the inhabitants of Boxborough humbly pray that such a committee may be appointed, and the said inhabitants will be ready to pay such committee their expenses and for their trouble and service.

SILAS TAYLOR, } *Agents of*
SOLOMON TAYLOR, } *Boxborough.*

June 5, 1793.

Committee was appointed in accordance with this petition June 6, 1793.

To the honorable the Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled :

The subscribers humbly show that they with their polls and estates by a certain act of this honorable court passed the 25th February 1783, entitled an act for erecting a district in the County of Middlesex by the name of Boxborough were included within certain boundaries in said act mentioned taken from the Town of Littleton, and that it was by the same act among other things therein enacted that all the polls and estates included within the

boundaries of the said district of Boxborough should belong to said district, except those of such of the inhabitants of that part set off from Littleton as should not within the term of twelve months from the passing of said act return their names into the Secretary's office of this Commonwealth signifying their desire of becoming inhabitants of said district, and your Petitioners humbly show to this honorable court that they have never so returned their names, signifying their desire of becoming inhabitants of the said district of Boxborough, and whereas the said district of Boxborough by their agents have petitioned this honorable court to establish the certain boundaries between said district and said Town of Littleton, the subscribers therefore your humble Petitioners remonstrate against the object of said Petition which your Petitioners conceive is more to divide them from the Town of Littleton than to ascertain more certain boundaries, wherefore your Petitioners pray and it is their earnest desire that they and their families and estates may continue to belong to the said Town of Littleton as they heretofore have and as in duty bound will ever pray.

January 17, 1794.

JONATHAN PATCH
ISAAC PATCH
NATHANIEL COBLEIGH
JOHN COBLEIGH
STEPHEN JENNINGS
JOHN WOOD
JOHN HARTWELL, Jr.

ELEAZER FLETCHER
DANIEL WHITCOMB
ELIAS TAYLOR
JOHN KIDDER
MARY TAYLOR
CALVIN BLANCHARD

AN ACT for settling the line between Littleton and Boxborough.

Be it enacted by the Senate and House of Representatives, in general court assembled, and by the authority of the same, that a line drawn from a heap of stones in the road, twenty-one rods and a half, southerly of the house of John Robbins, of said Littleton, and running easterly in a straight line, about three miles to the corner of the town of Acton, at a heap of stones, shall be, and hereby do establish as the dividing line between the said town of Littleton and

the district of Boxborough, under the restrictions and with the provisions as to certain persons and estates herein made.

And be it further enacted by the authority aforesaid, that all those persons who were inhabitants of the said town of Littleton included by the line aforesaid, within the said district of Boxborough, and who did not, according to an act made in the year of our Lord, one thousand seven hundred and eighty-three, intituled "An Act for Erecting a District in the County of Middlesex, by the name of Boxborough," return their names, their polls and their estates, within twelve months from the passing of the same Act, into the office of the Secretary of the Commonwealth, signifying their desire to become inhabitants of the said district of Boxborough, shall, with the lands they improved at the time of passing the same act, with their said estates, during the time of their improving the same, belong to said Littleton, and that where there has been, or shall be a transfer of the same estates, either by grant, devise or descent, the persons to whom such transfer has been or shall be made, and their successors may apply to the said district of Boxborough to become members thereof, and whenever on such application, the clerk of said district of Boxborough, upon the vote of the inhabitants of the said district, at a legal meeting, shall enter the name of any such person as an inhabitant, and transmit a certificate of such vote to the clerk of the town of Littleton, such person shall from thence forward, with his polls and estate lying in said Boxborough, be deemed and taken to belong to said Boxborough.

Provided, that when there shall be a state, county or town tax, ordered to be assessed the said persons and estates shall be taxed thereto, in the town where they shall actually belong, at the time of ordering or assessing such tax, their changing their inhabitancy in manner aforesaid notwithstanding. And also that whenever a change of inhabitancy shall take place, agreeably to this act, the clerk of the town of Littleton shall transmit to the secretary's office a certificate thereof, in order that the same may be taken into consideration by the Legislature in apportioning future state taxes on the said town of Littleton and district of Boxborough.

(This Act passed February 20, 1794.)

1868.

*To the Honorable Senate and House of Representatives of the
General Court of the Commonwealth of Massachusetts :*

Respectfully represent your petitioners, selectmen of the town of Boxborough, in the County of Middlesex, that within the limits of said town there are two farms, one owned by Henry T. Taylor, and the other owned by William Hartwell, and that the said Taylor and the said Hartwell live on said farms, and that the said Taylor and said Hartwell claim that said farms are within the territorial limits of the town of Littleton, in said County, and that they are voters in said Littleton, and subject to taxation therein; and that the said town of Littleton claim that said farms are part of said town, and subject to taxation in said town, and residents therein, residents in Littleton, wherefore, your petitioners pray that said farms may be set off from said town of Littleton to said town of Boxborough, and be made part of the territory by law, appertaining to said Boxborough.

EPHRAIM B. COBLEIGH,	} <i>Selectmen of Boxborough.</i>
JACOB LITTLEFIELD,	
BENJAMIN S. MEAD.	

*To the Honorable, the Senate and House of Representatives of the
Commonwealth of Massachusetts :*

We the undersigned, inhabitants and legal voters of the town of Boxborough, in the County of Middlesex, respectfully remonstrate against the petition of the selectmen of the said town of Boxborough that a part of the town of Littleton may be set off to the town of Boxborough, and request that the prayer of the petitioners may not be granted.

ORMAN EWINGS,
EPHRAIM H. RAYMOND,
JOHN BLANCHARD,
GEO. W. RAMSDELL,
A. HAYWARD,
JOHN FLETCHER,
TIMOTHY L. WOOD.

To the Honorable Senate and House of Representatives of the General Court of the Commonwealth of Massachusetts :

The undersigned legal voters of the town of Littleton in the County of Middlesex, respectfully remonstrate against the petition of Ephraim B. Cobleigh, Jacob Littlefield and Benjamin S. Mead, selectmen of Boxborough, praying that the farms of Henry T. Taylor and William Hartwell, may be set off from said town of Littleton and become part of the territory of said town of Boxborough, and request that the prayer of the petitioners may not be granted.

GEORGE W. SANDERSON, } *Selectmen*
WILLIAM KIMBALL, } *of*
GEORGE W. TUTTLE, } *Littleton.*

HENRY T. TAYLOR,
W. H. HARTWELL,
and 106 others.

Commonwealth of Massachusetts.

The Committee on Towns to whom was referred the petition of the town of Boxborough, praying that certain farms in the town of Littleton may be set off to the town of Boxborough, have had the same under consideration and beg leave to report,

That, the further consideration thereof be referred to the next General Court, which is respectfully submitted, by order of the committee,

EDWARD CROCKER, *for the committee.*

Accepted by Senate. Concurring in by the House, Feb., 1868.

In the following year this petition was abandoned.

1869.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled:

The undersigned citizens of the towns of Boxborough and Acton, in the county of Middlesex, Respectfully petition that the territory now included within the limits of the town of Boxborough, and within that portion of the town of Acton called West Acton, may be incorporated into a new town by the name of ———, believing that the common interest will be promoted thereby.

H. E. Felch	George Ramsdell
Jerome Priest	P. W. Houghton
Oliver Wetherbee	Samuel Sargent
Ephraim B. Cobleigh	Alvin Parker
Jacob Littlefield	John Wetherbee
Benjamin S. Mead	Augustus W. Wetherbee
Simon Hartwell	Samuel Wetherbee
Paul Hayward	Francis H. Wetherbee
R. T. Cobleigh	Varnum Taylor
L. J. Bradford	George Hayor
D. W. Cobleigh	Samson D. Talbot
Stevens Hayward	Thomas B. Pane
A. A. Richardson	Nathaniel B. Pane
Jos. K. Blanchard	Silas H. Hoar
Augustine A. Wetherbee	B. S. Hagar
Alex. R. Eastman	James H. Whitcomb
Peter Whitcomb	Rufus Kings
Joseph Hayward	Timothy L. Wood
Granville Whitcomb	Francis Conant
John Hoar	Frank A. Patch
Jerome B. Whitney	Luther H. Ewings
E. L. Battles	Amos Holbrook
S. H. Hoar	Austin A. Richardson
J. Blanchard, 2d	Simeon Wetherbee
Ephraim H. Raymond	Orman Ewings
John Blanchard	Patrick R. Frawley
James S. Chester	John A. Hill
George Kendall	George H. Jackson
A. Hayward	

Report of the Com^{tee} on Towns.

COMMONWEALTH OF MASSACHUSETTS.

HOUSE OF REPRESENTATIVES, February 18, 1869.

The Committee on Towns, to whom was referred the petition of H. E. Felch and others, of Acton and Boxborough, for the formation of a new town including the whole territory of the town of Boxborough, and that part of Acton called West Acton, and the several petitions in aid and remonstrances against the same, have viewed the premises and heard the parties at length, and report the following facts :—

* * * * *

Boxborough is a very small town, without any village proper, or any store or place of business within its limits.

* * * * *

The petitions from Boxborough maintain that their town is too small, is unknown ; that they have no railroad station in town ; that there is no trade or business there, and that a large share of their produce is sold in West Acton, where, also, most of their purchases are made. In other words, that their trade promotes the growth of West Acton, and that therefore they ought to be embraced in one township, and receive an equivalent for this advantage in the taxation of the property which they contributed to enhance.

* * * * *

Upon all the facts the Committee, with all but entire unanimity, are of opinion that the petitioners have not maintained that the public good requires the formation of a new town pursuant to their prayer.

It is true that Boxborough is too small ; but rather than cripple Acton in her enterprise or encroach upon her historic limits for the benefit of that town, as her inhabitants have no desire to retain their name and distinct organization, it will be an easy task to so apportion her territory to other towns as to benefit all and injure none ; but with this matter the Committee are not asked and do not desire to interfere.

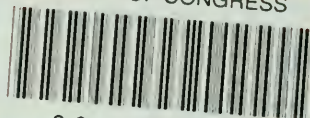
The Committee report that the petitioners have leave to withdraw.

Per order,

T. G. KENT.

The Legislature accepted the Report Feb. 18 and Feb. 19, 1869.

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